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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,287	08/26/2003	Mitsutoshi Hasegawa	03500.017504.	2681
5514	7590	06/03/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			ROSE, KIESHA L	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2822	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/647,287	HASEGAWA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kiesha L. Rose	2822	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/14/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

This Office Action is in response to the election filed 9 March 2005.

### ***Election/Restrictions***

Claims 3 and 4 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected method of making a device, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9 March 2005.

Applicant's election without traverse of claims 1,2 and 5-8 in the reply filed on 9 March 2005 is acknowledged.

### ***Information Disclosure Statement***

The information disclosure statement filed 14 January 2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Joshi et al. (U.S. Publication 2002/0192935).

Joshi discloses a semiconductor device (Fig. 1i) that contains an envelope with a first substrate (10), a second substrate (a circuit substrate can be mounted on the first substrate (Page 2, Paragraph 16)), a frame (30) interposed between the first and second substrates, a low melting point metal (35) for bonding the first substrate to the frame, wherein the first substrate has a first region (14) and a second region (12) which are brought into contact with the low melting point metal, and in the first region, a material capable of higher maintaining airtightness with the low melting point metal than the second region is in contact with the low melting point metal, while in the second

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region, a material having a stronger binding power on the low melting point metal than the first region is in contact with the low melting point metal. In regards to airtightness as stated in the specification, it states that the low melting point metal material, can be made break- proof and can maintain its airtightness optimally if the one or both bonding portions have a portion where the low melting point metal material is bonded directly to the face plate or to a host material of the outer frame and a portion where the low melting point metal material is bonded to a base material that is formed on the face plate or on the host material of the outer frame. (Page 5, lines 1-13) Therefore the first region (12) has good airtightness since it is bonded to a host material, which is bonded on the substrate.

Claim 2 is rejected under 35 U.S.C. 102(e) as being anticipated by Joshi et al. (U.S. Publication 2002/0192935).

Joshi discloses a semiconductor device (Fig. 2c) that contains an envelope with a first substrate (10), a second substrate (a circuit substrate can be mounted on the first substrate (Page 2, Paragraph 16)), a frame (30) interposed between the first and second substrates, a low melting point metal (12) for bonding the first substrate to the frame, wherein the frame has a first region (44) and a second region (14) which are brought into contact with the low melting point metal, and in the first region, a material capable of higher maintaining airtightness with the low melting point metal than the second region is in contact with the low melting point metal, while in the second region, a material having a stronger binding power on the low melting point metal than the first region is in contact with the low melting point metal. In regards to airtightness as stated

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in the specification, it states that the low melting point metal material, can be made break- proof and can maintain its airtightness optimally if the one or both bonding portions have a portion where the low melting point metal material is bonded directly to the face plate or to a host material of the outer frame and a portion where the low melting point metal material is bonded to a base material that is formed on the face plate or on the host material of the outer frame. (Page 5, lines 1-13) Therefore the first region (12) has good airtightness since it is bonded to a host material, which is bonded on the frame.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joshi.

Joshi discloses all the limitations except for an image display device and display device. Joshi discloses a first and second substrate where the second substrate is a circuit substrate, since the second substrate is a circuit substrate and different devices can be formed from a circuit substrate such as a display device and image display device, the display element and image display can be formed in the envelope and a television signal can be received by the image display device. Therefore it would have

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been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Joshi by incorporating a circuit substrate that can host display device and image display devices.

Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joshi.

Joshi discloses all the limitations except for an image display device and display device. Joshi discloses a first and second substrate where the second substrate is a circuit substrate, since the second substrate is a circuit substrate and different devices can be formed from a circuit substrate such as a display device and image display device, the display element and image display can be formed in the envelope and a television signal can be received by the image display device. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Joshi by incorporating a circuit substrate that can host display device and image display devices.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiesha L. Rose whose telephone number is 571-272-1844. The examiner can normally be reached on M-F 8:30-6:00 off 2nd Mondays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on 571-272-1852. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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KLR

  
AMIR ZARABIAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800